Web Telephony, LLC. v. Verizon Communications, Inc. et al Doc. 40

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

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| | § | |
| WEB TELEPHONY, LLC, | § | |
| | § | |
| Plaintiff, | § | |
| | § | CIVIL ACTION NO. 2:07-CV-085 (DF) |
| v. | § | |
| | § | |
| VERIZON COMMUNICATIONS, INC., | § | |
| et al., | § | |
| Defendants. | § | |
| | § | |

**AT&T INC.'S SECOND UNOPPOSED MOTION FOR ENLARGEMENT OF TIME TO FILE RESPONSIVE PLEADING TO COMPLAINT**

Pursuant to Federal Rules of Civil Procedure 6(b), Defendant AT&T Inc. submits this second unopposed motion to enlarge the time to file a responsive pleading to Web Telephony, LLC's ("Web Telephony") Complaint in the above-captioned matter. As grounds for this motion, AT&T Inc. states as follows:

1. Web Telephony filed its Complaint on March 14, 2007. The Summons was issued on March 14, 2007. AT&T Inc. accepted service of the Summons and Complaint on March 19, 2007. AT&T Inc.'s response to the Complaint was originally due on April 9, 2007. Pursuant to an Order dated April 11, 2007 (Docket Entry No. 23), the Court extended the deadline to May 9, 2007. Thereafter, pursuant to an Order dated May 8, 2007 (Docket Entry No. 31), the Court further extended the deadline to May 16, 2007.

2. Web Telephony's Complaint alleges patent infringement. Web Telephony and AT&T Inc. are continuing their discussions as to whether AT&T Inc. is a proper party to the

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litigation. An additional one-week extension will assist the parties in concluding those discussions.

3. AT&T Inc. therefore requests an additional one-week enlargement of time to file a response to the Complaint and requests a new deadline of May 23, 2007.

4. Web Telephony does not oppose this motion.

AT&T Inc. respectfully requests that its Second Unopposed Motion for Enlargement of Time to File Responsive Pleading to May 16, 2007, be granted.

Dated: May 14, 2007

Respectfully submitted,

By: /s/Darby V. Doan

James N. Haltom
Texas Bar No. 08809000
Darby V. Doan
Texas Bar No. 00793622
HALTOM & DOAN
6500 Summerhill Road
Suite 100
Texarkana, TX 75503
Telephone: (903) 255-1000
Facsimile: (903) 255-0800
Email: jhhaltom@haltomdoan.com
ddoan@haltomdoan.com

William F. Lee (admitted *pro hac vice*)
Lisa J. Pirozzolo (admitted *pro hac vice*)
Stephen Muller (admitted *pro hac vice*)
WILMER CUTLER PICKERING HALE AND DORR, LLP
60 State Street
Boston, MA 02109
Telephone: (617) 526-6000
Facsimile: (612) 526-5000
Email: stephen.muller@wilmerhale.com

**ATTORNEYS FOR DEFENDANT**
**AT&T INC.**

## CERTIFICATE OF CONFERENCE

I hereby certify that Stephen Muller, counsel for AT&T Inc., conferred with Sean Luner, counsel for Plaintiff Web Telephony, on May 14, 2007, and Mr. Luner stated that Web Telephony does not oppose the relief being sought in this Motion.

_/s/Darby V. Doan_
Darby V. Doan

## CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). All other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by certified mail, return receipt requested, on this the 14th day of May, 2007.

_/s/Darby V. Doan_
Darby V. Doan